

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

September 18, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

JOSE DAVID MOYA-MOYA

BY: AC
DEPUTYCase No. **SA:24-MJ-1315**Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 14, 2024 in the county of BEXAR in the
WESTERN District of TEXAS, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. Section 922(g)(5)

Alien in Possession of a Firearm

Up to 15 Years Imprisonment, \$250,000 Fine, 3 Years Supervised
release, \$100 Mandatory Assessment

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

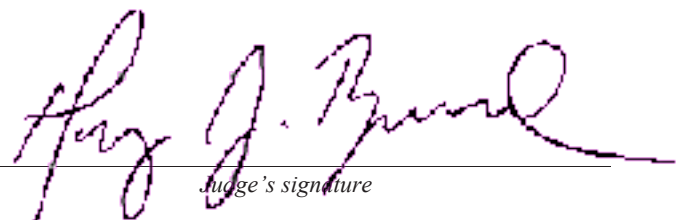
FRANCES QUIJANO

Digitally signed by FRANCES
QUIJANO
Date: 2024.09.17 16:56:13 -05'00'*Complainant's signature*

Frances Quijano, SA FBI

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

Date: September 18, 2024City and state: San Antonio, Texas*Judge's signature*

HENRY J. BEMPORAD, US MAGISTRATE JUDGE

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, FBI Special Agent Frances Quijano, being duly sworn do hereby depose and state:

1. Your affiant is an FBI Agent assigned to the San Antonio FBI Safe Streets Task Force. In my work with the FBI Safe Streets Task Force, I have participated in drug investigations and other violent crime investigations, during the course of which, I have conducted and participated in physical surveillance, execution of search warrants, debriefings of Confidential Human Sources (CHS) and reviews of recorded conversations and criminal records. Through my training, education, and experience, I have become familiar with the involvement of criminal enterprise members in violent activities, the handling of the finances of criminal enterprises, the manner in which illegal drugs are imported and distributed, and the method of payment for such activity to avoid detection by law enforcement. My primary duty and current assignment is conducting investigations targeting violent gangs and individuals involved in illegal activities as members of drug trafficking criminal enterprises. Among other duties, I am currently involved in an investigation focusing on the illegal activities of members and/or associates of the various criminal gangs in San Antonio, Texas, and the surrounding areas.
2. On September 14, 2024, at approximately 11:30 A.M., JOSE DAVID MOYA MOYA and an associate were traveling in a vehicle with Colorado license plates in San Antonio, Texas, within the Western District of Texas. MOYA was the passenger and his associate was the driver. Officers with the San Antonio Police Department (SAPD) conducted a traffic stop on the vehicle at the 9700 block of San Pedro Ave. Both men were detained by SAPD.
3. MOYA gave SAPD consent to search a tan colored fanny pack he was carrying. The fanny pack contained a tan colored handgun loaded with 17 rounds in the magazine. The firearm was a model CANIK TP9SF, bearing serial number T6472-21 AT 06835.
4. MOYA was transported to Homeland Security Headquarters and read his Miranda rights. MOYA agreed to participate in a custodial interview. MOYA confessed to picking up the CANIK firearm from an individual at an apartment complex on Blanco Avenue in San Antonio, Texas.
5. A query of DHS records revealed that MOYA is a citizen of Venezuela and illegally present in the United States. MOYA entered the United States through Eagle Pass, Texas, on

September 12, 2022, and was paroled into the United States until May 5, 2023. MOYA failed to appear at his immigration hearing.

6. MOYA was arrested on April 16, 2024, by the Chicago Police Department for the offenses of Driving/Never Issued License, Operate Uninsured MTR Vehicle, and No Valid Registration. MOYA was released from the Cook County Jail in Chicago, IL, but failed to appear at his hearing scheduled for May 2, 2024.
7. The CANIK firearm possessed by MOYA was manufactured in Turkey, and therefore traveled in foreign commerce.

Based on the above facts, your affiant believes there is probable cause to believe that MOYA has violated 18 U.S.C. Section 922(g)(5) (Alien in Possession of a Firearm).

FRANCES
QUIJANO

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QUIJANO
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FBI Special Agent Frances Quijano
Federal Bureau of Investigation – Safe Streets Task Force

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18th DAY OF September 2024.


HONORABLE JUDGE HENRY J. BEMPORAD
UNITED STATES MAGISTRATE JUDGE